

SERVICE PLAN CITY OF BULVERDE, TEXAS

SERVICE PLAN FOR ANNEXATION OF APPROXIMATELY 1.170 SQUARE MILES OF LAND GENERALLY LOCATED NORTH OF THE CURRENT CITY LIMITS LINE ALONG E. AMMANN ROAD, WEST OF THE CURRENT CITY LIMITS LINE WEST OF PERSIMMON HILL ROAD AND BRAND ROAD, AND SOUTH OF THE CURRENT CITY LIMITS LINE SOUTH OF SHEPHERDS RANCH DRIVE September 2015

This service plan shall be valid for ten (10) years from and after the effective date of the annexation ordinance annexing this specific land, all of which is lying within the City's Extraterritorial Jurisdiction (ETJ); legal description of said property described by metes and bounds attached as Exhibit A and all property incorporated herein by reference, is hereby added and annexed to the City of Bulverde, Texas and said territory as described shall hereafter be included within the boundary limits of said City, and the present boundary limits of said City, at the various points contiguous to the area described by metes and bounds in Exhibit "A". Renewal of the service plan shall be solely at the discretion of the City of Bulverde.

This service plan is a contractual obligation that is not subject to amendment or repeal except that if the City Council determines at public hearings required by Chapter 43 of the Texas Local Government Code, that changed conditions or subsequent occurrences make this service plan unworkable or obsolete, the City Council may amend the service plan to conform to the change conditions or subsequent occurrences. An amended service plan shall provide for services that are comparable to or better than those established in the service plan before amendment. Before any amendment is adopted, the City Council shall provide an opportunity for interested persons to be heard at public hearings called and held in the manner provided by Chapter 43 of the Texas Local Government Code.

Upon annexation of the area identified above and as more particularly identified in Exhibit A, the City of Bulverde will provide City services utilizing methods by which it extends services to any other equivalent area of the City.

SERVICES PROVIDED BY THE EFFECTIVE DATE OF ANNEXATION

As used in this plan, the term "services provided" includes having services provided by any method or means by which the City may extend municipal services to any other area of the City with like topography, land use and population density as those found within the newly annexed areas, including the City's infrastructure extension policies and developer or property owner participation in accordance with applicable City ordinances.

1. Police Protection

The City of Bulverde will provide law enforcement services to newly annexed areas at the same or similar level of service currently being provided to other areas of the City with like topography, land use and population density as those found within the newly annexed areas.

2. Fire Protection and Emergency Medical Services

The City of Bulverde does not have a municipal fire department. Fire Protection services are currently provided within the City by the Comal County Emergency Services Districts #4 and #5. The Comal County Emergency Services Districts #4 and #5 will continue to provide fire protection to newly annexed areas at the same or similar level of service currently being provided to other areas of the City, with like topography, land use and population density as those found within the newly annexed areas.

The City of Bulverde does not have a municipal Emergency Medical Service (EMS). EMS services are currently provided within the City by the Comal County Emergency Services District #1. The Comal County Emergency Services District #1 will continue to provide EMS services to newly annexed areas at the same or similar level of service currently being provided to other areas of the City, with like topography, land use and population density as those found within the newly annexed areas.

3. Maintenance of Water and Wastewater Facilities

All water and wastewater facilities owned or maintained by the City of Bulverde at the time of the proposed annexation shall continue to be maintained by the City of Bulverde. All water and wastewater facilities which may be acquired subsequent to the annexation of the proposed areas shall be maintained by the City of Bulverde to the extent of its ownership. The now existing water and wastewater mains at existing locations shall be available for the point of use extension based upon the City of Bulverde standard extension policy now existing or as may be amended. On-site sewerage systems may be maintained in accordance with the City's Code of Ordinances.

4. Solid Waste Collection

Solid waste collection services are provided within the City of Bulverde by a solid waste management service provider who holds an exclusive franchise agreement with the City. Solid waste management services will be provided to citizens in the newly annexed areas at the same or similar level of service currently being provided to other areas of the City with like topography, land use and density as those found within the newly annexed areas. After the second anniversary of the annexation date, the City will prohibit the collection of solid waste in the area by any solid waste management service provider other than the solid waste management provider holding a franchise agreement with the City.

5. Maintenance of Roads, Streets and Control Devices

Any and all public roads, streets or alleyways shall be maintained to the same degree and extent that other public roads, streets, and alleyways are maintained in areas of the City with like topography, land use and density as those found within the newly annexed areas. Private roads will remain under the ownership of the homeowners association and as such maintained by the association. The City will assume the expenses for operation and maintenance of public streetlights at intersections, dead ends and other locations that conform to the City's policy for placing streetlights. Streetlights, traffic control devices and street name signs will be maintained by the City.

6. Maintenance of Parks, Playgrounds, and Swimming Pools

The City of Bulverde, Texas is not aware of the existence of any publicly owned parks, playgrounds or swimming pools now located in the proposed areas of annexation. In the event any such parks, playgrounds, or swimming pools do exist and are public facilities, the City will maintain such areas and facilities to the extent and degree and to the same or similar level of service now being provided to other such areas and facilities within the corporate limits of the City with like topography, land use and density as those found within the newly annexed areas. Private facilities will remain under the ownership of the homeowners association and as such maintained by the association.

7. Maintenance of any Publicly owned Facility, Building or Municipal Service

The City of Bulverde, Texas is not aware of the existence of any publicly owned facility, building, or other municipal service now located in the proposed areas of annexation. In the event any publicly owned facility, building, or other municipal service does exist and are public facilities, the City will maintain such areas and facilities to the extent and degree and to the same or similar level of service now being provided to other such areas and facilities within the corporate limits of the City with like topography, land use and density as those found within the newly annexed areas.

8. Other Services

The City of Bulverde, Texas finds and determines that such services as planning, code enforcement, animal control, parks and recreation, court and general administration will be made available after the effective date of annexation at the same or similar level of service currently being provided to other areas of the City with similar topography, land use and density as those found within the newly annexed areas.

CONSTRUCTION OF ANY CAPITAL IMPROVEMENTS TO BE COMPLETED WITHIN 2 ½ YEARS

1. Police and Fire Protection and Solid Waste Collection

The City of Bulverde, Texas, finds and determines it is not necessary to acquire or construct any capital improvements within 2 ½ years of the effective date of the annexation of the particular annexed areas for the purpose of providing police protection, fire protection, emergency medical services or solid waste collection. The City finds and determines that it has at the present time adequate facilities and other resources to provide the same type, kind and level of service and protection which is presently being administered to other areas already incorporated in the City of Bulverde, Texas with like topography, land use and population density as those found within the newly annexed areas.

2. Water and Wastewater Facilities

The City of Bulverde, Texas, finds and determines it is not necessary to acquire or construct any capital improvements within 2 ½ years of the effective date of the annexation of the particular annexed areas for the purpose of providing Water and Wastewater services. The City finds and determines that it has at the present time adequate facilities and other resources to provide the same type, kind and level of service and protection which is presently being administered to other areas already incorporated in the City of Bulverde, Texas with like topography, land use and population density as those found within the newly annexed areas.

3. Roads and Streets

The City of Bulverde, Texas, finds and determines it is not necessary to acquire or construct any capital improvements within 2 ½ years of the effective date of the annexation of the particular annexed areas.

4. Maintenance of Parks, Playgrounds, and Swimming Pools and Any Other Publicly Owned Facility, Building, or Service

The City of Bulverde, Texas, finds and determines it is not necessary to acquire or construct any capital improvements within 2 ½ years of the effective date of the annexation of the particular annexed areas for the purpose of parks maintenance, playgrounds, swimming pools and other publicly owned facility, building or service.

SPECIFIC FINDINGS

The City of Bulverde, Texas, finds and determines that this proposed service plan will not provide any fewer services and will not provide a lower level of service in the areas being considered for annexation that were in existence in the proposed areas at the time immediately preceding the annexation process. Given the proposed annexation areas' topography, land utilization and population density, the service levels to be provided in the newly annexed areas will be equivalent to those provided to other areas of the City with similar characteristics.

TERMS

This plan shall be valid for a term of ten (10) years. Renewal of the Service Plan is at the sole discretion of the City of Bulverde.

LEVEL OF SERVICE

Nothing in this plan shall require the City to provide a uniform level of full municipal services to each area of the City, including the annexed areas, if different characteristics of topography, land use, and population density are considered a sufficient basis for providing different levels of service.

AMENDMENTS

The plan shall not be amended unless public hearings are held in accordance with Chapter 43 of the Texas Local Government Code.

PHASE 10
FIELD NOTE DESCRIPTION
OF APPROXIMATELY 1.170 SQUARE MILES

BEING AN APPROXIMATELY 1.170 SQUARE MILE TRACT OF LAND SITUATED IN COMAL COUNTY, TEXAS, SAID 1.170 SQUARE MILE TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING, AT A POINT ON THE EXISTING BULVERDE CITY LIMIT LINE, AND SITUATED ON THE EASTERLY BOUNDARY LINE OF THAT CERTAIN \pm 300.189 ACRE TRACT CONVEYED TO C. D. REED, BEING APPROXIMATELY 198 FEET NORTH OF NORTHERLY RIGHT OF WAY LINE OF EAST AMMANN ROAD;

THENCE, WESTERLY, PARALLELING SAID EAST AMMANN ROAD AND ALONG SAID EXISTING BULVERDE CITY LIMIT LINE, AN APPROXIMATE DISTANCE OF 3,477 FEET TO A POINT ON THE WESTERLY BOUNDARY LINE OF SAID 300.189 ACRES;

THENCE, NORTHERLY, ALONG SAID 300.189 ACRE TRACT AND A REMAINING PORTION OF A 778.47 ACRE TRACT CONVEYED TO PATRICIA H. WALLACE, AN APPROXIMATE DISTANCE OF 9,521 FEET, TO POINT BEING THE NORTHWEST CORNER OF THIS TRACT, SAME BEING A CORNER OF SAID EXISTING BULVERDE CITY LIMIT LINE, ALSO BEING THE NORTHEASTERLY CORNER OF LOT 22, SHEPHERDS RANCH 2;

THENCE, EASTERLY, ALONG SAID EXISTING CITY OF BULVERDE LIMIT LINE AND THE SOUTH LINE OF SAID SHEPHERDS RANCH 2, AN APPROXIMATE DISTANCE OF 3,041 FEET, TO A NORTHEASTERLY CONER OF THIS TRACT, SAME BEING THE A CORNER OF SAID EXISTING CITY OF BULVERDE LIMIT LINE, AND THE SOUTHEASTERLY CORNER OF LOT 1, SHEPHERDS RANCH 1;

THENCE, SOUTHEASTERLY, ALONG SAID EXISTING CITY OF BULVERDE LIMIT LINE AND BRAND RANCH SUBDIVISION, AN APPROXIMATE DISTANCE OF 2,649 FEET, TO A POINT FOR THE NORTHEASTERLY CORNER OF THIS TRACT;

THENCE, SOUTHERLY, CONTINUING ALONG SAID EXISTING CITY OF BULVERDE LIMIT LINE, WESTERLY BOUNDARY LINE OF PERSIMMON HILL SUBDIVISION AND EASTERLY BOUNDARY LINE OF THIS TRACT, AN APPROXIMATE DISTANCE OF 5,684 FEET, TO AN ANGLE POINT FOR THIS TRACT;

THENCE, CONTINUING ALONG SAID EXISTING CITY OF BULVERDE LIMIT LINE, THE WESTERLY BOUNDARY LINE OF SAID PERSIMMON HILL, THE FOLLOWING COURSES:

SOUTHWESTERLY, AN APPROXIMATE DISTANCE OF 500 FEET,

SOUTHERLY, AN APPROXIMATE DISTANCE OF 451FEET;

THENCE, IN A SOUTHEASTERLY DIRECTION, ALONG THE EASTERLY BOUNDARY LINE OF SAID 300.189 ACRE TRACT AND SAID EXISTING CITY OF BULVERDE LIMIT LINE , AN APPROXIMATE DISTANCE OF 256 FEET TO THE **POINT OF BEGINNING**, CONTAINING AN AREA OF APPROXIMATELY 1.170 SQUARE MILES OF LAND, MORE OR LESS;

POLITICAL BOUNDARY ANNEXATION TO CITY OF BULVERDE PHASE-10 EXHIBIT

